

ROBERT CORTEZ,	)	No. C 06-03827 EJD (PR)
Plaintiff,	)	
	)	ORDER OF DISMISSAL
vs.	)	
	)	
M.S. EVANS, et al.,	)	
Defendant(s).	)	

On January 11, 2013, the Court granted Defendants' motion for an extension of time to file a dispositive motion. (Docket No. 69.) A stamped copy of the order


1 mailed to Plaintiff was returned as undeliverable on February 13, 2013, indicating  
2 that Plaintiff was paroled. (Docket No. 77.) As of the date of this order, Plaintiff  
3 has not filed a notice of change of address or submitted any further pleadings in this  
4 case.

5 Pursuant to Northern District Local Rule 3-11 a party proceeding pro se must  
6 promptly file a notice of change of address while an action is pending. See L.R. 3-  
7 11(a). The Court may, without prejudice, dismiss a complaint when: (1) mail  
8 directed to the pro se party by the Court has been returned to the Court as not  
9 deliverable, and (2) the Court fails to receive within sixty days of this return a  
10 written communication from the pro se party indicating a current address. See L.R.  
11 3-11(b).

12 More than sixty days have passed since the mail addressed to Plaintiff was  
13 returned as undeliverable. The Court has not received a notice from Plaintiff of a  
14 new address. Accordingly, the instant civil rights action is DISMISSED without  
15 prejudice pursuant to Rule 3-11 of the Northern District Local Rules.

16 The Clerk shall terminate any pending motions.

17  
18 DATED: 4/22/2013

19   
EDWARD J. DAVILA  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

ROBERT CORTEZ,  
Plaintiff,

Case Number: CV06-03827 EJD

**CERTIFICATE OF SERVICE**

v.

M.S. EVANS, et al.,  
Defendants.

\_\_\_\_\_/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 4/23/2013, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Roberto Cortez P-08468  
Salinas Valley State Prison  
P. O. Box 1050  
Soledad, Ca 93960-1050

Dated: 4/23/2013

Richard W. Wieking, Clerk  
/s/By: Elizabeth Garcia, Deputy Clerk